

REMARKS

The Official Action mailed November 1, 2007, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on December 19, 2003; February 4, 2004; February 14, 2006; May 8, 2006; October 30, 2006; April 23, 2007; August 7, 2007; and October 16, 2007.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1-5, 9, 11, 13, 15, 17 and 20-27 were pending in the present application prior to the above amendment. Independent claims 1 and 20 have been amended to better recite the features of the present invention, and new dependent claims 28-33 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 1-5, 9, 11, 13, 15, 17 and 20-33 are now pending in the present application, of which claims 1 and 20 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1, 4, 5, 9, 13, 15, 17 and 20 as obvious based on the combination of U.S. Publication No. 2001/0022644 to Hinata; U.S. Patent No. 5,412,192 to Hoss; U.S. Patent No. 4,536,014 to Boutaleb; and U.S. Patent No. 4,472,627 to Weinberger. The Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.

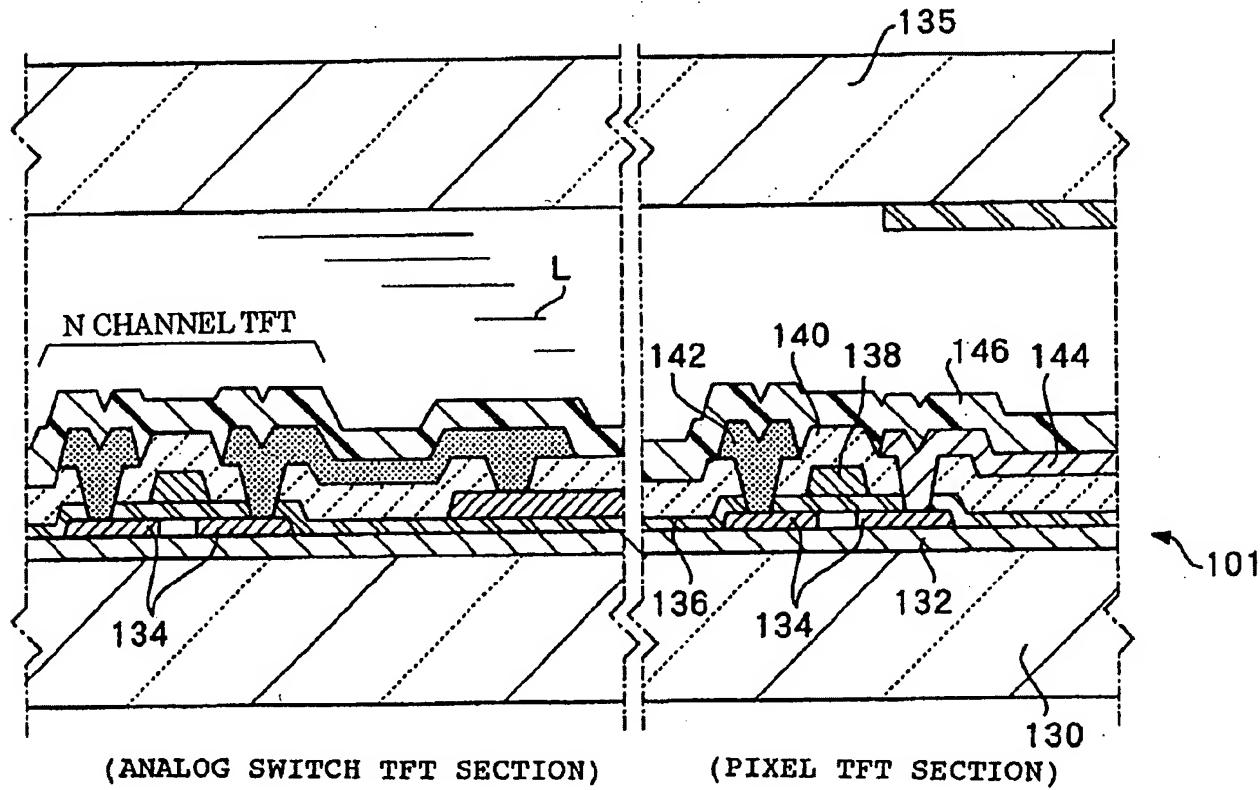
As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second,

there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Independent claim 1 already recites that "the display device are covered and sealed with a resin between the first substrate and the second substrate," and independent claim 20 already recites "a display device ... over the first substrate; ... a resin over the display device ...; and a second substrate ... over the resin." Claims 1 and 20 have been amended to recite that "the resin is in contact with the second substrate." For the reasons provided below, Hinata, Hoss, Boutaleb and Weinberger, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

The Official Action relies on Figure 18 of Hinata (reproduced below) to allegedly teach a display device between a glass substrate 130 and a counter substrate 135 (page 2, Paper No. 20071026). The Official Action concedes that "644 [Hinata] lack the thin film integrated circuit and the display device sealed between the first substrate and the second substrate of the card and wherein the first substrate and the second substrate comprise a plastic material or resin" (Id.). The Official Action asserts that the data card 12 of Hoss, the front sheet 1 and back sheet 10 of Boutaleb, and the plastic encapsulant 22 of Weinberger "are evidence that it was well known to seal a liquid

crystal display between two plastic substrates when incorporating the display in a card" (*Id.*). Without any specific references to Hinata, Hoss, Boutaleb and Weinberger in support and without statements which establish the level of ordinary skill in the art at the time of the present invention, the Official Action asserts that "it would have been obvious to one of ordinary skill at the time of invention to combine the well known substrates/laminates with 644 [Hinata] in order to protect and seal the display" (*Id.*).



However, these arguments ignore the plain language of the present claims, which require both a resin and a second substrate. Even if one of ordinary skill in the art at the time of the present invention were sufficiently motivated to form the counter substrate 135 of Hinata from resin, the Official Action still has not shown how the prior art teaches or suggests that the display device of Hinata is or should be covered and sealed with a resin between the glass substrate 130 and the counter substrate 135, or that a resin is or should be over the display device of Hinata and that the counter substrate 135 is or should be over the resin. Therefore, the Applicant respectfully

submits that Hinata, Hoss, Boutaleb and Weinberger, either alone or in combination, do not teach or suggest that a display device is covered and sealed with a resin between a first substrate and a second substrate; or a display device over a first substrate, a resin over the display device, and a second substrate over the resin in combination with the other features of the present independent claims.

Furthermore, independent claims 1 and 20 have been amended to recite that a resin is in contact with a second substrate, which is supported in the present specification, for example, by Figure 9, which shows a resin 542 in contact with a second substrate 543. The Applicant respectfully submits that Hinata, Hoss, Boutaleb and Weinberger, either alone or in combination, do not teach or suggest that a resin is in contact with a second substrate in combination with the other features of the present independent claims.

Since Hinata, Hoss, Boutaleb and Weinberger do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

The Official Action rejects dependent claims 2, 3, 11 and 20-27 as obvious based on the combination of Hinata, Hoss, Boutaleb, Weinberger and U.S. Patent No. 4,709,991 to Hoshikawa, U.S. Patent No. 4,709,995 to Kurabayashi, U.S. Patent No. 6,859,195 to Kodate, or U.S. Patent No. 7,158,031 to Tuttle. Please incorporate the arguments above with respect to the deficiencies in Hinata, Hoss, Boutaleb and Weinberger. Hoshikawa, Kurabayashi, Kodate and Tuttle do not cure the deficiencies in Hinata, Hoss, Boutaleb and Weinberger. The Official Action relies on Hoshikawa, Kurabayashi, Kodate and Tuttle to allegedly teach the features of dependent claims 2, 3, 11 and 20-27. Specifically, the Official Action relies on Hoshikawa to allegedly teach "the card having a thickness from 0.05 mm through 1.5 mm" (page 3, Paper Nos. 20070117, 20070710 and 20071026), on Kurabayashi to allegedly teach "a passive matrix electrode structure" (*Id.*), on Kodate to allegedly teach "the device being light

“emitting” (*Id.*), and on Tuttle to allegedly teach “both an antenna and an insulating film used in a card” (pages 3-4, Paper No. 20071026). However, Hinata, Hoss, Boutaleb, Weinberger, and Hoshikawa, Kuribayashi, Kodate or Tuttle, either alone or in combination, do not teach or suggest the following features or that Hinata, Hoss, Boutaleb and Weinberger should be modified to include any of the following features: that a display device is covered and sealed with a resin between a first substrate and a second substrate; or a display device over a first substrate, a resin over the display device, and a second substrate over the resin; and that a resin is in contact with a second substrate in combination with the other features of the present independent claims. Since Hinata, Hoss, Boutaleb, Weinberger, and Hoshikawa, Kuribayashi, Kodate or Tuttle do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 28-33 have been added to recite additional protection to which the Applicant is entitled. Claims 28 and 31 recite “[a] card ... further comprising: an adhesive below the thin film integrated circuit and the display device, and in contact with the first substrate.” Claims 29 and 32 recite that “the adhesive is a photo-curing adhesive or a light curing adhesive.” Claims 30 and 33 recite that “the adhesive includes a powder comprising one of silver, nickel, aluminum, and aluminum nitride or a filler.” These features are supported in the present specification, for example, at least by page 17, lines 23-27, and Figure 8A. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 28-33 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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